



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner:
Charles L. Branch et al.)	James L. Swiger III
)	
Application Serial No. 10/645,413)	Group Art Unit: 3733
)	
Filed: August 21, 2003)	Ref. No.: MSDI-214/
)	PC 365.06
)	
INTERBODY FUSION GRAFTS AND)	November 30, 2006
INSTRUMENTATION)	

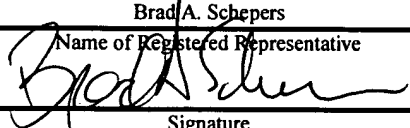
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. §1.56, Applicants wish to bring to the attention of the Examiner the following patents, publications and/or other information listed on the attached PTO Form 1449.

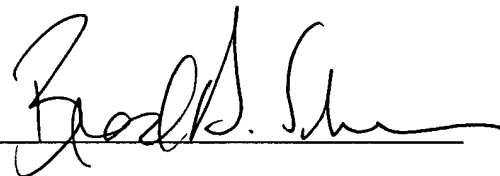
The cited information was previously submitted in this application by the Applicants via an Information Disclosure Statement filed with the application on August 21, 2003. However, the acknowledged copy of the Information Disclosure Statement crossed out each of the non-U.S. references, presumably for not including copies of the references. However, each of the

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:
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Brad A. Schepers
Name of Registered Representative

Signature
November 30, 2006
Date of Signature

foreign references and non-patent references cited in the Information Disclosure Statement were previously considered in **U.S. Patent Application Serial No. 09/870,023** to which the present application claims priority. Accordingly, under 37 C.F.R. §1.98(d), copies of the cited references are not required. The Applicants therefore respectfully request consideration of the cited prior art references. The filing of this Supplemental Information Disclosure Statement shall not construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

No fee is believed due with regard to the filing of this Supplemental Information Disclosure Statement. However, should any fee be required, please charge such fee to Deposit Account No. 12-2424, but not to include payment of any issue fees.

Respectfully submitted,

By: 

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KD_IM-842657_1.DOC

DEC 04 2006

PTO/SB/08A (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/645,413
Filing Date	August 21, 2003
First Named Inventor	Charles L. Branch
Art Unit	3733
Examiner Name	James L. Swiger III
Attorney Docket Number	MSDI-214/PC 365.06

Sheet	1	of	3
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY			
		EP 0077159	04/1983			
		EP 0307241	03/1989			
		PCT 95/08306	03/1995			
		PCT 95/15133	06/1995			
		PCT 96/22747	08/1996			
		PCT 96/40013	12/1996			

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Application Number	10/645,413
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
		PCT 97/13378	04/1997			
		PCT 97/15248	05/1997			
		PCT 97/25945	07/1997			

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Sheet 3 of 3

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		AcroMed Spine Tools "PLIG Instruments" (undated)	
		"Brantigan I/F Cage Acromed" (undated)	
		"Brantigan I/F Cage for PLIF" (1991)	
		Sofamor Danek "Laparoscopic Bone Dowel Surgical Technique" (1995)	
		Sofamor Danek "Surgical Technique Using Bone Dowel Instrumentation for Posterior Approach," LIT.PLIF.ST96 (1996)	
		Sofamor Danek "Surgical Tips Posterior Approach" (1998)	
		University of Florida Tissue Bank, Inc. "Allograft Catalog" (1998)	

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